PATENT 207/145

DECLARATION Utility Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled ENZYME CATALYZED TEMPLATE-INDEPENDENT CREATION OF PHOSPHODIESTER BONDS USING PROTECTED NUCLEOTIDES the specification of which:

Check One

X		is attached hereto.				
	*	was filed on	Application	Serial	No.	
		* •				

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

		Prior Claim	
Application Number	Date of Filing	Yes	No
			•

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal

DECLARATION Utility Applic	ation	Page 2
Regulations, §1.56(a) which of application and the national application.	ccurred between or PCT intern	the filing date of the prior ational filing date of this
Application Number	Filing Date	Status Patented, Pending or Abandoned
I further declare that all statements to be true; and further that that willful false statements or imprisonment, or both, und States Code, and that such would to the application of the application of the states.	made on informa hese statements and the like so der section 100 villful false st	tion and belief are believed were made with the knowledge made are punishable by fine 1 of Title 18 of the United tatements may jeopardize the
Inventor's Signature McM Residence San Diego Country of Citizenship Unit	Calif. ed States of Ame	
Post Office Address 660 Torr	ance Street, Sa	n Diego, California 92103
Full Name of Inventor Floyd: Inventor's Signature Residence Del Man		Date <u>\$'-\$(~9</u> 4
Country of Citizenship Unit	ed States of Ame	erica
Post Office Address <u>117 Via (</u>	de la Valle, De	Mar, California





PATENT Attorney Docket No. 207/145

OF

Applicant or Patentee: Andrew Hiatt, et al. Serial or Patent No.: Filed or Issued:

Not Yet Assigned September 1, 1994

For.

ENZYME CATALYZED TEMPLAT-INDEPENDENT CREATTON

101.	PHOSPHODIESTER BONDS USING P	ROTECTED NUCLEOTIDES
	EMENT (DECLARATION) CLAIMING S .1.9(f) and 1.27(c)) - SMALL B	
I hereby declare that I	[am:	
X an official	of the small business concern l of the small business concer cern identified below:	
NAME OF CONCERN: ADDRESS OF CONCERN:	Rose-Hiatt Biotechnology Par 10457 Roselle Street, Suite San Diego, California 92121	C
small business concern C.F.R. 1.9(d), for purp Title 35, United State including those of it this statement, (1) the over the previous fis full-time, part-time of fiscal year, and (2) co or indirectly, one concern	the above-identified small bus as defined in 13 C.F.R. 121 coses of paying reduced fees ures Code, in that the number of affiliates, does not exceed 50 number of employees of the bus cal year of the concern of a temporary basis during each oncerns are affiliates of each cern controls or has the power controls or has the power to describe the controls of the controls or has the power to describe the controls of the	.3-18, and reproduced in 37 oder Section 41(a) and (b) of employees of the concern, 00 persons. For purposes of siness concern is the average the persons employed on a of the pay periods of the other when either, directly to control the other, or a
	ights under contract or law hav concern identified above with	
<u>X</u> the s	specification filed herewith cation serial number	, filed
Pater	nt No	_, issued

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. 1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

PATENT Attorney Docket No. 207/145

NAME _ ADDRESS _			
INDIVIDU	JAL SMALL BU:	SINESS CONCERN	_ NONPROFIT ORGANIZATION
NAME _ ADDRESS _			
INDIVIDU	JAL SMALL BUS	SINESS CONCERN	_ NONPROFIT ORGANIZATION
change in status repaying, or at the ti	sulting in loss of ime of paying, the date on which st	of entitlement to s e earliest of the	patent, notification of any small entity status prior to issue fee or any maintenance usiness entity is no longer
that all statements further that these statements and the under Section 1001	s made on informa statements were like so made are of Title 18 of t y jeopardize the v	tion and belief a made with the kr punishable by fir the United States validity of the app	y own knowledge are true and re believed to be true; and nowledge that willful false be or imprisonment, or both, Code, and that such willful lication, any patent issuing nt is directed.
NAME OF PERSON SIGN TITLE OF PERSON OTH ADDRESS OF PERSON S	IER THAN OWNER:		eet, Suite C rnia, 92121
Signature	rdres C.	Wall De	ate 9/1/94

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors:

ANDREW C. HIATT and

FLOYD ROSE

Serial No.:

Not Yet Assigned

Filed:

September 1, 1994

For:

ENZYME CATALYZED TEMPLATE-)

INDEPENDENT CREATION OF PHOSPHODIESTER BONDS USING)

PROTECTED NUCLEOTIDES

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

To be assigned Group No.:

To be assigned Examiner:

Express Mail mailing label number TB597031974 US

September 1, 1994 Date of Deposit __

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trade marks, Washington, DC 20231.

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As assignee of record of the entire interest of the above identified patent application, ROSE-HIATT BIOTECHNOLOGY PARTNERSHIP, hereby appoints, with full power of substitution and revocation, the following attorney(s) and/or agents(s) to prosecute the above identified patent application and transact all business in the Patent and Trademark Office connected therewith:

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ROSE-HIATT BIOTECHNOLOGY PARTNERSHIP

• Date:	<i>-}(</i> , ₁₉₉₄	By: Indew C. /ball	andrew C.16
		Name: Andrew C. Hiatt	Andrew C. Hiatt
		Title: Partner	Partner
		By: flogo kine	flood Rue
		Name: Floyd Rose	Floyd Rose
		Title: Partner	Partner

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